

Remarks

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

By the above amendments, claims 32 and 34 are rewritten in independent form, claims 42-44 are amended to depend from claim 34, and claim 33 is amended to correct a typographical error. New claims 49-55 are added and find support, *inter alia*, in original claims 42-48 as well as paragraphs [0047]-[0052] of the as-filed application. Claims 1-31 are canceled and claims 32-55 are pending, of which claims 45, 47, and 48 are withdrawn. No new matter is added by way of these amendments.

Applicants respectfully submit that claims 45, 47, and 48, which were withdrawn from consideration for failure to read on the elected species, should be rejoined and allowed in view of the above amendments. More particularly, claims 45, 47, and 48 (as well as new claims 49-55), which read on elected Group IV, depend from (and, thus, include the limitations of) allowable claims 32 and 34. Thus, these claims should be rejoined.

The rejection of claims 24 and 44 under 35 U.S.C. § 103(a) for obviousness over WO 03/024446 to Yamamoto as evidenced by the Medilexicon medical dictionary (<http://www.medilexicon.com/medicaldictionary.php?t=13063>) in view of U.S. Patent No. 5,462,946 to Mitchell is respectfully traversed in view of the cancellation of claim 24 and the above amendments to claim 44 so that it is dependent on allowed claim 32. Although Applicants do not acquiesce to the position of the U.S. Patent and Trademark Office, the above amendments are made in an effort to advance prosecution. Thus, the obviousness rejection is improper and should be withdrawn.

In view of all of the foregoing, applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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